

ENTERED

October 21, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

VS.

ROXANNE MARTINEZ

§
§
§
§
§

CRIMINAL ACTION NO. 2:21-MJ-01279-1

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

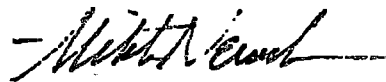
A detention hearing was held today in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). I find that detention of Defendant Roxanne Martinez pending trial in this case is appropriate: there are no conditions or combination of conditions that would reasonably assure both the appearance of Defendant as required and the safety of the community.

I adopt the findings and conclusions contained in the Pretrial Services Report. The evidence against Defendant in this serious criminal case is strong. Additionally, Defendant has a history of substance abuse that includes recent illicit use of cannabinoids and cocaine while on supervision. Second, the information examined at today's hearing demonstrated Defendant's pattern of criminal behavior that includes a high and seemingly accelerating frequency of offenses. Defendant has been apprehended five times in the past 13 months, including apprehensions for, among other things, alien smuggling, possession of a controlled substance, DWI, and possession of a controlled substance in a correctional facility. The report also documents an active arrest warrant against Defendant for failure to appear in a state criminal case. I am also concerned that Defendant has engaged in criminal activity while on bond for other offenses,

demonstrating Defendant's inability or unwillingness to conform her behavior to the law while on bond. After considering the factors set forth in 18 U.S.C. § 3142, I find that there is no condition or set of conditions that would adequately assure Defendant's presence at trial, or that would adequately assure the safety of any other person or the community.

Defendant is committed to the custody of the United States Marshal or designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 21st day of October, 2021.



MITCHEL NEUROCK
United States Magistrate Judge